

**Probate Committee  
Judicial Conference of Indiana**

July 20, 2007  
Minutes

1. Members present. The following members of the Committee were present: David Bolk, Larry Bradley, Susan Orr Henderson, Thomas Milligan, Kathy Smith, and Kevin Barton, Chair.
2. Staff present. Michelle C. Goodman provided the Committee with staff assistance.
3. Guests present. Jerry Barr, Senior Judge; Becky Pryor, Creative Approaches; Chris Prohl; and John Dickerson, ARC of Indiana.
4. Approval of minutes. The Committee approved the minutes from the May 2007 meeting.
5. Maximum Fee Guidelines. The Committee continued its discussion on the Maximum Fee Guidelines. Jerry Barr provided the Committee with historical information on the development of the original guidelines and the benefits of providing some guidance on this topic for the courts. The Committee shared the information that they had received from local attorney on this issue, which generally favored the guidelines, but suggested the amounts be raised. The Committee decided to update the guidelines to reference the relevant case law, statutes, and rules regarding fees. Com. Bradley volunteered to prepare information on the relevant cases. The Committee requested staff to prepare a comparison of current local fee guidelines. Judge Henderson offered to provide the petition her court requires. The Committee also thought that comments from the State Bar Section would be helpful.
6. Innovations in Probate. The Committee heard from Becky Pryor, Chris Prohl, and John Dickerson on the development of the adult guardianship program in Lake County, which was developed based on a CASA/GAL approach. They distributed some basic information regarding the program and outlined their three-year expansion plan using grant funding. They also highlighted the development of program to help those with developmental disabilities. They are also working to develop six pilot areas within the state to help expand these efforts and have received state funding to support these efforts. In 2008, they will be conducting a statewide symposium on guardianships. The areas where they would like to see improvements include revising the guardianship statutes, developing a code of ethic for program volunteers/workers, identifying funding sources, and establishing standards and qualifications for non-family guardians. They are also working with Notre Dame to research best practices and similar programs and would be willing to share this information with the Committee.

The Committee discussed this information and would like to request to work with them on reviewing the statutes on guardianship, standards, etc. The Committee also would like to add the information on the adult guardianship statutes and program into the Benchbook along with some forms to help courts in this area. Other topics the

Committee would like to review include changes in Elder Abuse law and programs available in other states (i.e. Florida and Arizona).

7. Benchbook revisions. The recent revisions approved by the Committee will be sent out in August or September on the Benchbook CD. The tabs needed for the Benchbook will be included in the mailing.
8. Other business. Judge Barton reviewed the State Bar Sections agenda for their July meeting. He will provide additional information at our next meeting. Judge Barton also distributed the model Uniform Guardianship Act for the Committee's review.
9. Next Meetings. The next meetings of the Committee are scheduled for: September 7, 2007, and November 9, 2007, both at 1:30 p.m. at the Judicial Center (local time prevailing).

Respectfully submitted,

Michelle C. Goodman  
Staff Attorney